

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAJUAN A. JOHNSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 14-cv-11347

Honorable Laurie J. Michelson

Magistrate Judge R. Steven Whalen

ORDER ADOPTING REPORT AND RECOMMENDATION [24]

Before the Court is Magistrate Judge R. Steven Whalen's Report and Recommendation (Dkt. 24) to grant the parties' Joint Motion for an Award of Attorney Fees under the Equal Access to Justice Act (Dkt. 22) and award fees in the amount of \$4,000.00. Because Plaintiff assigned any EAJA fees to his attorney, the Magistrate Judge recommended that the fees be paid to Plaintiff's counsel after any offset for preexisting debt that the Plaintiff owes the United States government. At the conclusion of his report, the Magistrate Judge notified the parties that they were required to file any objections within 14 days of service, as provided in Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1(d), and that "[f]ailure to file specific objections constitutes a waiver of any further right of appeal." (R&R at 19–20.) No party has filed timely objections.

Having reviewed the Report and Recommendation, and there being no timely objections, the Court **ADOPTS** the Report and Recommendation (Dkt. 24) as the findings and conclusions of this Court. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). It follows that the Court hereby **GRANTS** the Joint Motion for an Award of Attorney Fees under the Equal Access to Justice Act

(Dkt. 22) and **ORDERS** the Commissioner to pay Plaintiff's counsel fees in the amount of \$4,000.00 after any offset.

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

Dated: January 22, 2015

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served on the attorneys and/or parties of record by electronic means or U.S. Mail on January 22, 2015.

s/Jane Johnson
Case Manager to
Honorable Laurie J. Michelson